REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: **Mail Stop RCE**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application No.	10/528,537
Filing Date	August 18, 2005
First Named Inventor	McKillop
Group Art Unit	1644
Examiner Name	Ewoldt, Gerald R.
Attorney Docket No.	U0003/7016

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTES

RCE v. CPA: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

FEE AND SUBMISSION REQUIRED: A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

RCE APPLIES TO: An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

RCE DOES NOT APPLY TO: (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

a. ☒ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on February 11, 2009. Copies of the unentered Amendment After Final and Declaration Under 37 C.F.R. § 1.132 of Peter Raymond Flatt are enclosed.
b. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
c. ☐ Amendment/Response enclosed.
d. ☐ Affidavit(s)/Declaration(s) enclosed.
e. ☐ Information Disclosure Statement (IDS) enclosed.
 i. ☐ PTO-1449
 ii. ☐ Copies of IDS Citations
f. ☐ Other _____

2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114

a. ☒ Small entity status
 i. ☐ was established in the prior nonprovisional application.
 ii. ☐ is established herewith by the enclosed written assertion of entitlement to small entity status.
b. ☒ A Petition and Fee for Extension of Time for one months up to and including April 11, 2009 is enclosed herewith.
c. ☐ A check in the amount of $ is enclosed.
d. ☒ The Commissioner is hereby authorized to charge the required fee(s), i.e., $470.00, to Deposit Account No. 50-1721.
e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 50-1721.

3. MISCELLANEOUS

a. ☐ Return Receipt Postcard enclosed.
b. ☐ Other _____.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator K&L Gates LLP State Street Financial Center One Lincoln Street Boston, MA 02111-2950 Tel. No.: (617) 261-3100 Fax No.: (617) 261-3175	Respectfully submitted, Date: March 13, 2009 Reg. No. 58,343 Tel. No.: (617) 261-3216 Fax No.: (617) 261-3175 /Karen A. Sinclair/_____ Karen A. Sinclair Attorney for Applicant(s) K&L Gates LLP State Street Financial Center One Lincoln Street Boston, MA 02111-2950